

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                  )  
Plaintiff,                 )                                   Case No. 8:12CR352  
                                  )  
v.                            )  
                                  )  
DANIEL APONTE and         )  
DAGOBERTO VEGA,            )  
                                  )  
Defendants.                 )

**FINDINGS AND RECOMMENDATION  
AND ORDER**

At the conclusion of the hearing on January 29, 2013, on Defendant Aponte's Motion to Suppress (#28) and Amended Motion to Suppress (#38), and Defendant Vega's Motion to Suppress (#30) and joinder in Aponte's Amended Motion, I stated my conclusions on the record and my decision to recommend that the motions to suppress be denied. In accordance with that announcement,

**IT IS RECOMMENDED** to the Honorable Laurie Smith Camp, Chief United States District Judge, that Defendant Aponte's Motion to Suppress (#28) and Amended Motion to Suppress (#38), and Vega's Motion to Suppress (#30) and joinder in Aponte's Amended Motion, all be denied in all respects.

**FURTHER, IT IS ORDERED:**

1. The clerk shall cause a transcript of the hearing to be prepared and filed.
2. Pursuant to NECrimR 59.2, any objection to the magistrate's Findings and Recommendation shall be filed with the Clerk of the Court within fourteen (14) days after the unredacted transcript is available to counsel. Failure to timely object may constitute a waiver of any such objection. The brief in support of any objection shall be filed at the time of filing such objection. Failure to file a brief in support of any objection may be deemed an abandonment of the objection.

Dated this 29th day of January 2013.

BY THE COURT:

s/ F.A. Gossett, III  
United States Magistrate Judge